

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG

JULIO PABLO MORALES,

Petitioner,

v.

CIVIL ACTION NO.: 3:19-CV-175
(GROH)

WARDEN ANTONELLI,

Respondent.

ORDER DISMISSING CASE

The *pro se* Petitioner filed a petition for habeas corpus pursuant to 28 U.S.C. §2241. ECF No. 1. On November 22, 2021, Magistrate Judge Robert W. Trumble entered a Report and Recommendation (“R&R”). ECF No. 15. The Petitioner received Judge Trumble’s R&R on November 26, 2021. ECF No. 16. On December 8, 2021, the Petitioner filed a Motion to Withdraw or Dismiss his §2241 Petition without prejudice. ECF No. 17. Therein, the petitioner states that after receiving the R&R, he realized that under “Greer, Petitioner’s motion would have no merit” Id.

Upon review and consideration, the Court finds good cause to **GRANT** the Petitioner’s Motion. ECF No. 17. Accordingly, the Petitioner’s §2241 Petition is **DISMISSED WITHOUT PREJUDICE**. The R&R [ECF No. 15] is TERMINATED as MOOT, and the Clerk of Court is DIRECTED to STRIKE this case from the Court’s active docket. The Clerk is further **DIRECTED** to mail a copy of this Order, return receipt requested, to the Petitioner at his last known address on the docket sheet.

DATED: January 4, 2022


GINA M. GROH
CHIEF UNITED STATES DISTRICT JUDGE